

REMARKS

Claims 1 and 4-8 are pending in this application. By this Amendment, claim 1 is amended. The amendment introduces no new matter. Claim 2 is canceled without prejudice to, or disclaimer of, the subject matter recited in that claim. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

Applicants appreciate the allowance of claims 7 and 8. Claims 1 and 4-6 are also allowable for at least the reasons discussed below.

The Office Action rejects claims 1, 2 and 4-6 under 35 U.S.C. §101 as lacking a tangible result. The Office Action notes that two of the options indicated in now canceled claim 2 would appear to be statutory; "operating a marking engine..." and "modifying the marking system..." However, the Office Action objects to the third option "modifying...data" as not adding a tangible result. Claim 1 is amended in light of this indication that the first two options appear to add a tangible result and the third option purportedly requires further clarification. Specifically, "modifying subsequent image data" is amended to recite processing an image-forming operation by the marking system that provided the reference/test image based on the generated spatial uniformity data. Support for such a feature is found at least in paragraph [0091] of the specification, wherein an exemplary method is described that includes applying a compensation profile upstream of image marking such that image data can be modified prior to marking so that the marking machine can generate a more visually uniform image density on a substrate.

Thus, claims 1 and 4-6 recite tangible, real-world results. Accordingly, reconsideration and withdrawal of the rejection of claims 1 and 4-6 under 35 U.S.C. §101 are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1 and 4-6, in addition to the allowance of claims 7 and 8, are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

James E. Golladay, II
Registration No. 58,182

JAO:JEG/hms

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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